

ASSEMBLY BILL

No. 2775

Introduced by Committee on Water, Parks and Wildlife (Huffman (Chair), Fuller (Vice Chair), Anderson, Arambula, Tom Berryhill, Blumenfield, Caballero, Fletcher, Bonnie Lowenthal, Salas, and Yamada)

March 1, 2010

An act to repeal Section 2150.5 of the Fish and Game Code, relating to permits.

LEGISLATIVE COUNSEL'S DIGEST

AB 2775, as introduced, Committee on Water, Parks and Wildlife. Permits: restricted animals.

Existing law grants to the Fish and Game Commission powers relating to the protection and propagation of fish and game. Existing law establishes the Department of Fish and Game in the Natural Resources Agency, and generally charges the department with the administration and enforcement of the Fish and Game Code. Existing law makes it unlawful to import, transport, possess, or release restricted animals without a permit. Existing law authorizes persons to possess specified restricted animals under a permit when the owner can demonstrate that the animal was legally acquired and possessed in the state before January 1, 1975.

This bill would repeal this permit authorization, thereby creating a new crime and imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2150.5 of the Fish and Game Code is
2 repealed.
3 ~~2150.5. Classes, orders, families, genera, and species which~~
4 ~~may not be imported, transported, possessed, or released alive in~~
5 ~~this state solely because of concern for the welfare of the animal~~
6 ~~may be possessed under permit when the owner can demonstrate~~
7 ~~that such animal was legally acquired and possessed in California~~
8 ~~before the effective date of this section. The department may~~
9 ~~require the owner of an animal which may be possessed under this~~
10 ~~section to mark or otherwise identify such animal and progeny, so~~
11 ~~as not to endanger the welfare of that animal, to the satisfaction~~
12 ~~of the department. The owner shall not transfer such animal or~~
13 ~~progeny to any other person without prior approval of the~~
14 ~~department.~~
15 SEC. 2. No reimbursement is required by this act pursuant to
16 Section 6 of Article XIII B of the California Constitution because
17 the only costs that may be incurred by a local agency or school
18 district will be incurred because this act creates a new crime or
19 infraction, eliminates a crime or infraction, or changes the penalty
20 for a crime or infraction, within the meaning of Section 17556 of
21 the Government Code, or changes the definition of a crime within
22 the meaning of Section 6 of Article XIII B of the California
23 Constitution.